

1 AN ACT concerning education.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Section 18-8.05 as follows:

6 (105 ILCS 5/18-8.05)

7 Sec. 18-8.05. Basis for apportionment of general State  
8 financial aid and supplemental general State aid to the  
9 common schools for the 1998-1999 and subsequent school years.

10 (A) General Provisions.

11 (1) The provisions of this Section apply to the  
12 1998-1999 and subsequent school years. The system of general  
13 State financial aid provided for in this Section is designed  
14 to assure that, through a combination of State financial aid  
15 and required local resources, the financial support provided  
16 each pupil in Average Daily Attendance equals or exceeds a  
17 prescribed per pupil Foundation Level. This formula approach  
18 imputes a level of per pupil Available Local Resources and  
19 provides for the basis to calculate a per pupil level of  
20 general State financial aid that, when added to Available  
21 Local Resources, equals or exceeds the Foundation Level. The  
22 amount of per pupil general State financial aid for school  
23 districts, in general, varies in inverse relation to  
24 Available Local Resources. Per pupil amounts are based upon  
25 each school district's Average Daily Attendance as that term  
26 is defined in this Section.

27 (2) In addition to general State financial aid, school  
28 districts with specified levels or concentrations of pupils  
29 from low income households are eligible to receive  
30 supplemental general State financial aid grants as provided  
31 pursuant to subsection (H). The supplemental State aid grants

1 provided for school districts under subsection (H) shall be  
2 appropriated for distribution to school districts as part of  
3 the same line item in which the general State financial aid  
4 of school districts is appropriated under this Section.

5 (3) To receive financial assistance under this Section,  
6 school districts are required to file claims with the State  
7 Board of Education, subject to the following requirements:

8 (a) Any school district which fails for any given  
9 school year to maintain school as required by law, or to  
10 maintain a recognized school is not eligible to file for  
11 such school year any claim upon the Common School Fund.  
12 In case of nonrecognition of one or more attendance  
13 centers in a school district otherwise operating  
14 recognized schools, the claim of the district shall be  
15 reduced in the proportion which the Average Daily  
16 Attendance in the attendance center or centers bear to  
17 the Average Daily Attendance in the school district. A  
18 "recognized school" means any public school which meets  
19 the standards as established for recognition by the State  
20 Board of Education. A school district or attendance  
21 center not having recognition status at the end of a  
22 school term is entitled to receive State aid payments due  
23 upon a legal claim which was filed while it was  
24 recognized.

25 (b) School district claims filed under this Section  
26 are subject to Sections 18-9, 18-10, and 18-12, except as  
27 otherwise provided in this Section.

28 (c) If a school district operates a full year  
29 school under Section 10-19.1, the general State aid to  
30 the school district shall be determined by the State  
31 Board of Education in accordance with this Section as  
32 near as may be applicable.

33 (d) (Blank).

34 (4) Except as provided in subsections (H) and (L), the

1 board of any district receiving any of the grants provided  
2 for in this Section may apply those funds to any fund so  
3 received for which that board is authorized to make  
4 expenditures by law.

5 School districts are not required to exert a minimum  
6 Operating Tax Rate in order to qualify for assistance under  
7 this Section.

8 (5) As used in this Section the following terms, when  
9 capitalized, shall have the meaning ascribed herein:

10 (a) "Average Daily Attendance": A count of pupil  
11 attendance in school, averaged as provided for in  
12 subsection (C) and utilized in deriving per pupil  
13 financial support levels.

14 (b) "Available Local Resources": A computation of  
15 local financial support, calculated on the basis of  
16 Average Daily Attendance and derived as provided pursuant  
17 to subsection (D).

18 (c) "Corporate Personal Property Replacement  
19 Taxes": Funds paid to local school districts pursuant to  
20 "An Act in relation to the abolition of ad valorem  
21 personal property tax and the replacement of revenues  
22 lost thereby, and amending and repealing certain Acts and  
23 parts of Acts in connection therewith", certified August  
24 14, 1979, as amended (Public Act 81-1st S.S.-1).

25 (d) "Foundation Level": A prescribed level of per  
26 pupil financial support as provided for in subsection  
27 (B).

28 (e) "Operating Tax Rate": All school district  
29 property taxes extended for all purposes, except Bond and  
30 Interest, Summer School, Rent, Capital Improvement, and  
31 Vocational Education Building purposes.

32 (B) Foundation Level.

33 (1) The Foundation Level is a figure established by the  
34 State representing the minimum level of per pupil financial

1 support that should be available to provide for the basic  
 2 education of each pupil in Average Daily Attendance. As set  
 3 forth in this Section, each school district is assumed to  
 4 exert a sufficient local taxing effort such that, in  
 5 combination with the aggregate of general State financial aid  
 6 provided the district, an aggregate of State and local  
 7 resources are available to meet the basic education needs of  
 8 pupils in the district.

9 (2) For the 1998-1999 school year, the Foundation Level  
 10 of support is \$4,225. For the 1999-2000 school year, the  
 11 Foundation Level of support is \$4,325. For the 2000-2001  
 12 school year, the Foundation Level of support is \$4,425.

13 (3) For the 2001-2002 school year and each school year  
 14 thereafter, the Foundation Level of support is \$4,560 or such  
 15 greater amount as may be established by law by the General  
 16 Assembly. For each school year thereafter, the Foundation  
 17 Level of support shall be equal to the Foundation Level of  
 18 support for the preceding school year, increased by (i) the  
 19 percentage increase, if any, in the Consumer Price Index for  
 20 All Urban Consumers for all items, published by the United  
 21 States Department of Labor, during the 12-month calendar year  
 22 immediately preceding the calendar year in which commences  
 23 the school year or (ii) 3%, whichever is greater.

24 (C) Average Daily Attendance.

25 (1) For purposes of calculating general State aid  
 26 pursuant to subsection (E), an Average Daily Attendance  
 27 figure shall be utilized. The Average Daily Attendance  
 28 figure for formula calculation purposes shall be the monthly  
 29 average of the actual number of pupils in attendance of each  
 30 school district, as further averaged for the best 3 months of  
 31 pupil attendance for each school district. In compiling the  
 32 figures for the number of pupils in attendance, school  
 33 districts and the State Board of Education shall, for  
 34 purposes of general State aid funding, conform attendance

1 figures to the requirements of subsection (F).

2 (2) The Average Daily Attendance figures utilized in  
3 subsection (E) shall be the requisite attendance data for the  
4 school year immediately preceding the school year for which  
5 general State aid is being calculated or the average of the  
6 attendance data for the 3 preceding school years, whichever  
7 is greater. The Average Daily Attendance figures utilized in  
8 subsection (H) shall be the requisite attendance data for the  
9 school year immediately preceding the school year for which  
10 general State aid is being calculated.

11 (D) Available Local Resources.

12 (1) For purposes of calculating general State aid  
13 pursuant to subsection (E), a representation of Available  
14 Local Resources per pupil, as that term is defined and  
15 determined in this subsection, shall be utilized. Available  
16 Local Resources per pupil shall include a calculated dollar  
17 amount representing local school district revenues from local  
18 property taxes and from Corporate Personal Property  
19 Replacement Taxes, expressed on the basis of pupils in  
20 Average Daily Attendance.

21 (2) In determining a school district's revenue from  
22 local property taxes, the State Board of Education shall  
23 utilize the equalized assessed valuation of all taxable  
24 property of each school district as of September 30 of the  
25 previous year. The equalized assessed valuation utilized  
26 shall be obtained and determined as provided in subsection  
27 (G).

28 (3) For school districts maintaining grades kindergarten  
29 through 12, local property tax revenues per pupil shall be  
30 calculated as the product of the applicable equalized  
31 assessed valuation for the district multiplied by 3.00%, and  
32 divided by the district's Average Daily Attendance figure.  
33 For school districts maintaining grades kindergarten through  
34 8, local property tax revenues per pupil shall be calculated

1 as the product of the applicable equalized assessed valuation  
2 for the district multiplied by 2.30%, and divided by the  
3 district's Average Daily Attendance figure. For school  
4 districts maintaining grades 9 through 12, local property tax  
5 revenues per pupil shall be the applicable equalized assessed  
6 valuation of the district multiplied by 1.05%, and divided by  
7 the district's Average Daily Attendance figure.

8 (4) The Corporate Personal Property Replacement Taxes  
9 paid to each school district during the calendar year 2 years  
10 before the calendar year in which a school year begins,  
11 divided by the Average Daily Attendance figure for that  
12 district, shall be added to the local property tax revenues  
13 per pupil as derived by the application of the immediately  
14 preceding paragraph (3). The sum of these per pupil figures  
15 for each school district shall constitute Available Local  
16 Resources as that term is utilized in subsection (E) in the  
17 calculation of general State aid.

18 (E) Computation of General State Aid.

19 (1) For each school year, the amount of general State  
20 aid allotted to a school district shall be computed by the  
21 State Board of Education as provided in this subsection.

22 (2) For any school district for which Available Local  
23 Resources per pupil is less than the product of 0.93 times  
24 the Foundation Level, general State aid for that district  
25 shall be calculated as an amount equal to the Foundation  
26 Level minus Available Local Resources, multiplied by the  
27 Average Daily Attendance of the school district.

28 (3) For any school district for which Available Local  
29 Resources per pupil is equal to or greater than the product  
30 of 0.93 times the Foundation Level and less than the product  
31 of 1.75 times the Foundation Level, the general State aid per  
32 pupil shall be a decimal proportion of the Foundation Level  
33 derived using a linear algorithm. Under this linear  
34 algorithm, the calculated general State aid per pupil shall

1 decline in direct linear fashion from 0.07 times the  
2 Foundation Level for a school district with Available Local  
3 Resources equal to the product of 0.93 times the Foundation  
4 Level, to 0.05 times the Foundation Level for a school  
5 district with Available Local Resources equal to the product  
6 of 1.75 times the Foundation Level. The allocation of  
7 general State aid for school districts subject to this  
8 paragraph 3 shall be the calculated general State aid per  
9 pupil figure multiplied by the Average Daily Attendance of  
10 the school district.

11 (4) For any school district for which Available Local  
12 Resources per pupil equals or exceeds the product of 1.75  
13 times the Foundation Level, the general State aid for the  
14 school district shall be calculated as the product of \$218  
15 multiplied by the Average Daily Attendance of the school  
16 district.

17 (5) The amount of general State aid allocated to a  
18 school district for the 1999-2000 school year meeting the  
19 requirements set forth in paragraph (4) of subsection (G)  
20 shall be increased by an amount equal to the general State  
21 aid that would have been received by the district for the  
22 1998-1999 school year by utilizing the Extension Limitation  
23 Equalized Assessed Valuation as calculated in paragraph (4)  
24 of subsection (G) less the general State aid allotted for the  
25 1998-1999 school year. This amount shall be deemed a one  
26 time increase, and shall not affect any future general State  
27 aid allocations.

28 (F) Compilation of Average Daily Attendance.

29 (1) Each school district shall, by July 1 of each year,  
30 submit to the State Board of Education, on forms prescribed  
31 by the State Board of Education, attendance figures for the  
32 school year that began in the preceding calendar year. The  
33 attendance information so transmitted shall identify the  
34 average daily attendance figures for each month of the school

1 year, except that any days of attendance in August shall be  
2 added to the month of September and any days of attendance in  
3 June shall be added to the month of May.

4 Except as otherwise provided in this Section, days of  
5 attendance by pupils shall be counted only for sessions of  
6 not less than 5 clock hours of school work per day under  
7 direct supervision of: (i) teachers, or (ii) non-teaching  
8 personnel or volunteer personnel when engaging in  
9 non-teaching duties and supervising in those instances  
10 specified in subsection (a) of Section 10-22.34 and paragraph  
11 10 of Section 34-18, with pupils of legal school age and in  
12 kindergarten and grades 1 through 12.

13 Days of attendance by tuition pupils shall be accredited  
14 only to the districts that pay the tuition to a recognized  
15 school.

16 (2) Days of attendance by pupils of less than 5 clock  
17 hours of school shall be subject to the following provisions  
18 in the compilation of Average Daily Attendance.

19 (a) Pupils regularly enrolled in a public school  
20 for only a part of the school day may be counted on the  
21 basis of 1/6 day for every class hour of instruction of  
22 40 minutes or more attended pursuant to such enrollment,  
23 unless a pupil is enrolled in a block-schedule format of  
24 80 minutes or more of instruction, in which case the  
25 pupil may be counted on the basis of the proportion of  
26 minutes of school work completed each day to the minimum  
27 number of minutes that school work is required to be held  
28 that day.

29 (b) Days of attendance may be less than 5 clock  
30 hours on the opening and closing of the school term, and  
31 upon the first day of pupil attendance, if preceded by a  
32 day or days utilized as an institute or teachers'  
33 workshop.

34 (c) A session of 4 or more clock hours may be

1 counted as a day of attendance upon certification by the  
2 regional superintendent, and approved by the State  
3 Superintendent of Education to the extent that the  
4 district has been forced to use daily multiple sessions.

5 (d) A session of 3 or more clock hours may be  
6 counted as a day of attendance (1) when the remainder of  
7 the school day or at least 2 hours in the evening of that  
8 day is utilized for an in-service training program for  
9 teachers, up to a maximum of 5 days per school year of  
10 which a maximum of 4 days of such 5 days may be used for  
11 parent-teacher conferences, provided a district conducts  
12 an in-service training program for teachers which has  
13 been approved by the State Superintendent of Education;  
14 or, in lieu of 4 such days, 2 full days may be used, in  
15 which event each such day may be counted as a day of  
16 attendance; and (2) when days in addition to those  
17 provided in item (1) are scheduled by a school pursuant  
18 to its school improvement plan adopted under Article 34  
19 or its revised or amended school improvement plan adopted  
20 under Article 2, provided that (i) such sessions of 3 or  
21 more clock hours are scheduled to occur at regular  
22 intervals, (ii) the remainder of the school days in which  
23 such sessions occur are utilized for in-service training  
24 programs or other staff development activities for  
25 teachers, and (iii) a sufficient number of minutes of  
26 school work under the direct supervision of teachers are  
27 added to the school days between such regularly scheduled  
28 sessions to accumulate not less than the number of  
29 minutes by which such sessions of 3 or more clock hours  
30 fall short of 5 clock hours. Any full days used for the  
31 purposes of this paragraph shall not be considered for  
32 computing average daily attendance. Days scheduled for  
33 in-service training programs, staff development  
34 activities, or parent-teacher conferences may be

1 scheduled separately for different grade levels and  
2 different attendance centers of the district.

3 (e) A session of not less than one clock hour of  
4 teaching hospitalized or homebound pupils on-site or by  
5 telephone to the classroom may be counted as 1/2 day of  
6 attendance, however these pupils must receive 4 or more  
7 clock hours of instruction to be counted for a full day  
8 of attendance.

9 (f) A session of at least 4 clock hours may be  
10 counted as a day of attendance for first grade pupils,  
11 and pupils in full day kindergartens, and a session of 2  
12 or more hours may be counted as 1/2 day of attendance by  
13 pupils in kindergartens which provide only 1/2 day of  
14 attendance.

15 (g) For children with disabilities who are below  
16 the age of 6 years and who cannot attend 2 or more clock  
17 hours because of their disability or immaturity, a  
18 session of not less than one clock hour may be counted as  
19 1/2 day of attendance; however for such children whose  
20 educational needs so require a session of 4 or more clock  
21 hours may be counted as a full day of attendance.

22 (h) A recognized kindergarten which provides for  
23 only 1/2 day of attendance by each pupil shall not have  
24 more than 1/2 day of attendance counted in any one day.  
25 However, kindergartens may count 2 1/2 days of attendance  
26 in any 5 consecutive school days. When a pupil attends  
27 such a kindergarten for 2 half days on any one school  
28 day, the pupil shall have the following day as a day  
29 absent from school, unless the school district obtains  
30 permission in writing from the State Superintendent of  
31 Education. Attendance at kindergartens which provide for  
32 a full day of attendance by each pupil shall be counted  
33 the same as attendance by first grade pupils. Only the  
34 first year of attendance in one kindergarten shall be

1 counted, except in case of children who entered the  
2 kindergarten in their fifth year whose educational  
3 development requires a second year of kindergarten as  
4 determined under the rules and regulations of the State  
5 Board of Education.

6 (G) Equalized Assessed Valuation Data.

7 (1) For purposes of the calculation of Available Local  
8 Resources required pursuant to subsection (D), the State  
9 Board of Education shall secure from the Department of  
10 Revenue the value as equalized or assessed by the Department  
11 of Revenue of all taxable property of every school district,  
12 together with (i) the applicable tax rate used in extending  
13 taxes for the funds of the district as of September 30 of the  
14 previous year and (ii) the limiting rate for all school  
15 districts subject to property tax extension limitations as  
16 imposed under the Property Tax Extension Limitation Law.

17 This equalized assessed valuation, as adjusted further by  
18 the requirements of this subsection, shall be utilized in the  
19 calculation of Available Local Resources.

20 (2) The equalized assessed valuation in paragraph (1)  
21 shall be adjusted, as applicable, in the following manner:

22 (a) For the purposes of calculating State aid under  
23 this Section, with respect to any part of a school  
24 district within a redevelopment project area in respect  
25 to which a municipality has adopted tax increment  
26 allocation financing pursuant to the Tax Increment  
27 Allocation Redevelopment Act, Sections 11-74.4-1 through  
28 11-74.4-11 of the Illinois Municipal Code or the  
29 Industrial Jobs Recovery Law, Sections 11-74.6-1 through  
30 11-74.6-50 of the Illinois Municipal Code, no part of the  
31 current equalized assessed valuation of real property  
32 located in any such project area which is attributable to  
33 an increase above the total initial equalized assessed  
34 valuation of such property shall be used as part of the

1 equalized assessed valuation of the district, until such  
2 time as all redevelopment project costs have been paid,  
3 as provided in Section 11-74.4-8 of the Tax Increment  
4 Allocation Redevelopment Act or in Section 11-74.6-35 of  
5 the Industrial Jobs Recovery Law. For the purpose of the  
6 equalized assessed valuation of the district, the total  
7 initial equalized assessed valuation or the current  
8 equalized assessed valuation, whichever is lower, shall  
9 be used until such time as all redevelopment project  
10 costs have been paid.

11 (b) The real property equalized assessed valuation  
12 for a school district shall be adjusted by subtracting  
13 from the real property value as equalized or assessed by  
14 the Department of Revenue for the district an amount  
15 computed by dividing the amount of any abatement of taxes  
16 under Section 18-170 of the Property Tax Code by 3.00%  
17 for a district maintaining grades kindergarten through  
18 12, by 2.30% for a district maintaining grades  
19 kindergarten through 8, or by 1.05% for a district  
20 maintaining grades 9 through 12 and adjusted by an amount  
21 computed by dividing the amount of any abatement of taxes  
22 under subsection (a) of Section 18-165 of the Property  
23 Tax Code by the same percentage rates for district type  
24 as specified in this subparagraph (b).

25 (3) For the 1999-2000 school year and each school year  
26 thereafter, if a school district meets all of the criteria of  
27 this subsection (G)(3), the school district's Available Local  
28 Resources shall be calculated under subsection (D) using the  
29 district's Extension Limitation Equalized Assessed Valuation  
30 as calculated under this subsection (G)(3).

31 For purposes of this subsection (G)(3) the following  
32 terms shall have the following meanings:

33 "Budget Year": The school year for which general  
34 State aid is calculated and awarded under subsection (E).

1 "Base Tax Year": The property tax levy year used to  
2 calculate the Budget Year allocation of general State  
3 aid.

4 "Preceding Tax Year": The property tax levy year  
5 immediately preceding the Base Tax Year.

6 "Base Tax Year's Tax Extension": The product of the  
7 equalized assessed valuation utilized by the County Clerk  
8 in the Base Tax Year multiplied by the limiting rate as  
9 calculated by the County Clerk and defined in the  
10 Property Tax Extension Limitation Law.

11 "Preceding Tax Year's Tax Extension": The product of  
12 the equalized assessed valuation utilized by the County  
13 Clerk in the Preceding Tax Year multiplied by the  
14 Operating Tax Rate as defined in subsection (A).

15 "Extension Limitation Ratio": A numerical ratio,  
16 certified by the County Clerk, in which the numerator is  
17 the Base Tax Year's Tax Extension and the denominator is  
18 the Preceding Tax Year's Tax Extension.

19 "Operating Tax Rate": The operating tax rate as  
20 defined in subsection (A).

21 If a school district is subject to property tax extension  
22 limitations as imposed under the Property Tax Extension  
23 Limitation Law, the State Board of Education shall calculate  
24 the Extension Limitation Equalized Assessed Valuation of that  
25 district. For the 1999-2000 school year, the Extension  
26 Limitation Equalized Assessed Valuation of a school district  
27 as calculated by the State Board of Education shall be equal  
28 to the product of the district's 1996 Equalized Assessed  
29 Valuation and the district's Extension Limitation Ratio. For  
30 the 2000-2001 school year and each school year thereafter,  
31 the Extension Limitation Equalized Assessed Valuation of a  
32 school district as calculated by the State Board of Education  
33 shall be equal to the product of the Equalized Assessed  
34 Valuation last used in the calculation of general State aid

1 and the district's Extension Limitation Ratio. If the  
2 Extension Limitation Equalized Assessed Valuation of a school  
3 district as calculated under this subsection (G)(3) is less  
4 than the district's equalized assessed valuation as  
5 calculated pursuant to subsections (G)(1) and (G)(2), then  
6 for purposes of calculating the district's general State aid  
7 for the Budget Year pursuant to subsection (E), that  
8 Extension Limitation Equalized Assessed Valuation shall be  
9 utilized to calculate the district's Available Local  
10 Resources under subsection (D).

11 (4) For the purposes of calculating general State aid  
12 for the 1999-2000 school year only, if a school district  
13 experienced a triennial reassessment on the equalized  
14 assessed valuation used in calculating its general State  
15 financial aid apportionment for the 1998-1999 school year,  
16 the State Board of Education shall calculate the Extension  
17 Limitation Equalized Assessed Valuation that would have been  
18 used to calculate the district's 1998-1999 general State aid.  
19 This amount shall equal the product of the equalized assessed  
20 valuation used to calculate general State aid for the  
21 1997-1998 school year and the district's Extension Limitation  
22 Ratio. If the Extension Limitation Equalized Assessed  
23 Valuation of the school district as calculated under this  
24 paragraph (4) is less than the district's equalized assessed  
25 valuation utilized in calculating the district's 1998-1999  
26 general State aid allocation, then for purposes of  
27 calculating the district's general State aid pursuant to  
28 paragraph (5) of subsection (E), that Extension Limitation  
29 Equalized Assessed Valuation shall be utilized to calculate  
30 the district's Available Local Resources.

31 (5) For school districts having a majority of their  
32 equalized assessed valuation in any county except Cook,  
33 DuPage, Kane, Lake, McHenry, or Will, if the amount of  
34 general State aid allocated to the school district for the

1 1999-2000 school year under the provisions of subsection (E),  
2 (H), and (J) of this Section is less than the amount of  
3 general State aid allocated to the district for the 1998-1999  
4 school year under these subsections, then the general State  
5 aid of the district for the 1999-2000 school year only shall  
6 be increased by the difference between these amounts. The  
7 total payments made under this paragraph (5) shall not exceed  
8 \$14,000,000. Claims shall be prorated if they exceed  
9 \$14,000,000.

10 (H) Supplemental General State Aid.

11 (1) In addition to the general State aid a school  
12 district is allotted pursuant to subsection (E), qualifying  
13 school districts shall receive a grant, paid in conjunction  
14 with a district's payments of general State aid, for  
15 supplemental general State aid based upon the concentration  
16 level of children from low-income households within the  
17 school district. Supplemental State aid grants provided for  
18 school districts under this subsection shall be appropriated  
19 for distribution to school districts as part of the same line  
20 item in which the general State financial aid of school  
21 districts is appropriated under this Section. For purposes of  
22 this subsection, the term "Low-Income Concentration Level"  
23 shall be the low-income eligible pupil count from the most  
24 recently available federal census divided by the Average  
25 Daily Attendance of the school district. If, however, (i) the  
26 percentage decrease from the 2 most recent federal censuses  
27 in the low-income eligible pupil count of a high school  
28 district with fewer than 400 students exceeds by 75% or more  
29 the percentage change in the total low-income eligible pupil  
30 count of contiguous elementary school districts, whose  
31 boundaries are coterminous with the high school district, or  
32 (ii) a high school district within 2 counties and serving 5  
33 elementary school districts, whose boundaries are coterminous  
34 with the high school district, has a percentage decrease from

1 the 2 most recent federal censuses in the low-income eligible  
2 pupil count and there is a percentage increase in the total  
3 low-income eligible pupil count of a majority of the  
4 elementary school districts in excess of 50% from the 2 most  
5 recent federal censuses, then the high school district's  
6 low-income eligible pupil count from the earlier federal  
7 census shall be the number used as the low-income eligible  
8 pupil count for the high school district, for purposes of  
9 this subsection (H). The changes made to this paragraph (1)  
10 by Public Act 92-28 ~~this-amendatory-Act-of-the-92nd-General~~  
11 ~~Assembly~~ shall apply to supplemental general State aid grants  
12 paid in fiscal year 1999 and in each fiscal year thereafter  
13 and to any State aid payments made in fiscal year 1994  
14 through fiscal year 1998 pursuant to subsection 1(n) of  
15 Section 18-8 of this Code (which was repealed on July 1,  
16 1998), and any high school district that is affected by  
17 Public Act 92-28 ~~this--amendatory--Act-of-the-92nd-General~~  
18 ~~Assembly~~ is entitled to a recomputation of its supplemental  
19 general State aid grant or State aid paid in any of those  
20 fiscal years. This recomputation shall not be affected by  
21 any other funding.

22 (2) Supplemental general State aid pursuant to this  
23 subsection (H) shall be provided as follows for the  
24 1998-1999, 1999-2000, and 2000-2001 school years only:

25 (a) For any school district with a Low Income  
26 Concentration Level of at least 20% and less than 35%,  
27 the grant for any school year shall be \$800 multiplied by  
28 the low income eligible pupil count.

29 (b) For any school district with a Low Income  
30 Concentration Level of at least 35% and less than 50%,  
31 the grant for the 1998-1999 school year shall be \$1,100  
32 multiplied by the low income eligible pupil count.

33 (c) For any school district with a Low Income  
34 Concentration Level of at least 50% and less than 60%,

1 the grant for the 1998-99 school year shall be \$1,500  
2 multiplied by the low income eligible pupil count.

3 (d) For any school district with a Low Income  
4 Concentration Level of 60% or more, the grant for the  
5 1998-99 school year shall be \$1,900 multiplied by the low  
6 income eligible pupil count.

7 (e) For the 1999-2000 school year, the per pupil  
8 amount specified in subparagraphs (b), (c), and (d)  
9 immediately above shall be increased to \$1,243, \$1,600,  
10 and \$2,000, respectively.

11 (f) For the 2000-2001 school year, the per pupil  
12 amounts specified in subparagraphs (b), (c), and (d)  
13 immediately above shall be \$1,273, \$1,640, and \$2,050,  
14 respectively.

15 (2.5) Supplemental general State aid pursuant to this  
16 subsection (H) shall be provided as follows for the 2001-2002  
17 school year and each school year thereafter:

18 (a) For any school district with a Low Income  
19 Concentration Level of less than 10%, the grant for each  
20 school year shall be \$355 multiplied by the low income  
21 eligible pupil count.

22 (b) For any school district with a Low Income  
23 Concentration Level of at least 10% and less than 20%,  
24 the grant for each school year shall be \$675 multiplied  
25 by the low income eligible pupil count.

26 (c) For any school district with a Low Income  
27 Concentration Level of at least 20% and less than 35%,  
28 the grant for each school year shall be \$1,190 multiplied  
29 by the low income eligible pupil count.

30 (d) For any school district with a Low Income  
31 Concentration Level of at least 35% and less than 50%,  
32 the grant for each school year shall be \$1,333 multiplied  
33 by the low income eligible pupil count.

34 (e) For any school district with a Low Income

1 Concentration Level of at least 50% and less than 60%,  
2 the grant for each school year shall be \$1,680 multiplied  
3 by the low income eligible pupil count.

4 (f) For any school district with a Low Income  
5 Concentration Level of 60% or more, the grant for each  
6 school year shall be \$2,080 multiplied by the low income  
7 eligible pupil count.

8 (3) School districts with an Average Daily Attendance of  
9 more than 1,000 and less than 50,000 that qualify for  
10 supplemental general State aid pursuant to this subsection  
11 shall submit a plan to the State Board of Education prior to  
12 October 30 of each year for the use of the funds resulting  
13 from this grant of supplemental general State aid for the  
14 improvement of instruction in which priority is given to  
15 meeting the education needs of disadvantaged children. Such  
16 plan shall be submitted in accordance with rules and  
17 regulations promulgated by the State Board of Education.

18 (4) School districts with an Average Daily Attendance of  
19 50,000 or more that qualify for supplemental general State  
20 aid pursuant to this subsection shall be required to  
21 distribute from funds available pursuant to this Section, no  
22 less than \$261,000,000 in accordance with the following  
23 requirements:

24 (a) The required amounts shall be distributed to  
25 the attendance centers within the district in proportion  
26 to the number of pupils enrolled at each attendance  
27 center who are eligible to receive free or reduced-price  
28 lunches or breakfasts under the federal Child Nutrition  
29 Act of 1966 and under the National School Lunch Act  
30 during the immediately preceding school year.

31 (b) The distribution of these portions of  
32 supplemental and general State aid among attendance  
33 centers according to these requirements shall not be  
34 compensated for or contravened by adjustments of the

1 total of other funds appropriated to any attendance  
2 centers, and the Board of Education shall utilize funding  
3 from one or several sources in order to fully implement  
4 this provision annually prior to the opening of school.

5 (c) Each attendance center shall be provided by the  
6 school district a distribution of noncategorical funds  
7 and other categorical funds to which an attendance center  
8 is entitled under law in order that the general State aid  
9 and supplemental general State aid provided by  
10 application of this subsection supplements rather than  
11 supplants the noncategorical funds and other categorical  
12 funds provided by the school district to the attendance  
13 centers.

14 (d) Any funds made available under this subsection  
15 that by reason of the provisions of this subsection are  
16 not required to be allocated and provided to attendance  
17 centers may be used and appropriated by the board of the  
18 district for any lawful school purpose.

19 (e) Funds received by an attendance center pursuant  
20 to this subsection shall be used by the attendance center  
21 at the discretion of the principal and local school  
22 council for programs to improve educational opportunities  
23 at qualifying schools through the following programs and  
24 services: early childhood education, reduced class size  
25 or improved adult to student classroom ratio, enrichment  
26 programs, remedial assistance, attendance improvement,  
27 and other educationally beneficial expenditures which  
28 supplement the regular and basic programs as determined  
29 by the State Board of Education. Funds provided shall not  
30 be expended for any political or lobbying purposes as  
31 defined by board rule.

32 (f) Each district subject to the provisions of this  
33 subdivision (H)(4) shall submit an acceptable plan to  
34 meet the educational needs of disadvantaged children, in

1 compliance with the requirements of this paragraph, to  
2 the State Board of Education prior to July 15 of each  
3 year. This plan shall be consistent with the decisions of  
4 local school councils concerning the school expenditure  
5 plans developed in accordance with part 4 of Section  
6 34-2.3. The State Board shall approve or reject the plan  
7 within 60 days after its submission. If the plan is  
8 rejected, the district shall give written notice of  
9 intent to modify the plan within 15 days of the  
10 notification of rejection and then submit a modified plan  
11 within 30 days after the date of the written notice of  
12 intent to modify. Districts may amend approved plans  
13 pursuant to rules promulgated by the State Board of  
14 Education.

15       Upon notification by the State Board of Education  
16 that the district has not submitted a plan prior to July  
17 15 or a modified plan within the time period specified  
18 herein, the State aid funds affected by that plan or  
19 modified plan shall be withheld by the State Board of  
20 Education until a plan or modified plan is submitted.

21       If the district fails to distribute State aid to  
22 attendance centers in accordance with an approved plan,  
23 the plan for the following year shall allocate funds, in  
24 addition to the funds otherwise required by this  
25 subsection, to those attendance centers which were  
26 underfunded during the previous year in amounts equal to  
27 such underfunding.

28       For purposes of determining compliance with this  
29 subsection in relation to the requirements of attendance  
30 center funding, each district subject to the provisions  
31 of this subsection shall submit as a separate document by  
32 December 1 of each year a report of expenditure data for  
33 the prior year in addition to any modification of its  
34 current plan. If it is determined that there has been a

1 failure to comply with the expenditure provisions of this  
2 subsection regarding contravention or supplanting, the  
3 State Superintendent of Education shall, within 60 days  
4 of receipt of the report, notify the district and any  
5 affected local school council. The district shall within  
6 45 days of receipt of that notification inform the State  
7 Superintendent of Education of the remedial or corrective  
8 action to be taken, whether by amendment of the current  
9 plan, if feasible, or by adjustment in the plan for the  
10 following year. Failure to provide the expenditure  
11 report or the notification of remedial or corrective  
12 action in a timely manner shall result in a withholding  
13 of the affected funds.

14 The State Board of Education shall promulgate rules  
15 and regulations to implement the provisions of this  
16 subsection. No funds shall be released under this  
17 subdivision (H)(4) to any district that has not submitted  
18 a plan that has been approved by the State Board of  
19 Education.

20 (I) General State Aid for Newly Configured School Districts.

21 (1) For a new school district formed by combining  
22 property included totally within 2 or more previously  
23 existing school districts, for its first year of existence  
24 the general State aid and supplemental general State aid  
25 calculated under this Section shall be computed for the new  
26 district and for the previously existing districts for which  
27 property is totally included within the new district. If the  
28 computation on the basis of the previously existing districts  
29 is greater, a supplementary payment equal to the difference  
30 shall be made for the first 4 years of existence of the new  
31 district.

32 (2) For a school district which annexes all of the  
33 territory of one or more entire other school districts, for  
34 the first year during which the change of boundaries

1 attributable to such annexation becomes effective for all  
2 purposes as determined under Section 7-9 or 7A-8, the general  
3 State aid and supplemental general State aid calculated under  
4 this Section shall be computed for the annexing district as  
5 constituted after the annexation and for the annexing and  
6 each annexed district as constituted prior to the annexation;  
7 and if the computation on the basis of the annexing and  
8 annexed districts as constituted prior to the annexation is  
9 greater, a supplementary payment equal to the difference  
10 shall be made for the first 4 years of existence of the  
11 annexing school district as constituted upon such annexation.

12 (3) For 2 or more school districts which annex all of  
13 the territory of one or more entire other school districts,  
14 and for 2 or more community unit districts which result upon  
15 the division (pursuant to petition under Section 11A-2) of  
16 one or more other unit school districts into 2 or more parts  
17 and which together include all of the parts into which such  
18 other unit school district or districts are so divided, for  
19 the first year during which the change of boundaries  
20 attributable to such annexation or division becomes effective  
21 for all purposes as determined under Section 7-9 or 11A-10,  
22 as the case may be, the general State aid and supplemental  
23 general State aid calculated under this Section shall be  
24 computed for each annexing or resulting district as  
25 constituted after the annexation or division and for each  
26 annexing and annexed district, or for each resulting and  
27 divided district, as constituted prior to the annexation or  
28 division; and if the aggregate of the general State aid and  
29 supplemental general State aid as so computed for the  
30 annexing or resulting districts as constituted after the  
31 annexation or division is less than the aggregate of the  
32 general State aid and supplemental general State aid as so  
33 computed for the annexing and annexed districts, or for the  
34 resulting and divided districts, as constituted prior to the

1 annexation or division, then a supplementary payment equal to  
2 the difference shall be made and allocated between or among  
3 the annexing or resulting districts, as constituted upon such  
4 annexation or division, for the first 4 years of their  
5 existence. The total difference payment shall be allocated  
6 between or among the annexing or resulting districts in the  
7 same ratio as the pupil enrollment from that portion of the  
8 annexed or divided district or districts which is annexed to  
9 or included in each such annexing or resulting district bears  
10 to the total pupil enrollment from the entire annexed or  
11 divided district or districts, as such pupil enrollment is  
12 determined for the school year last ending prior to the date  
13 when the change of boundaries attributable to the annexation  
14 or division becomes effective for all purposes. The amount  
15 of the total difference payment and the amount thereof to be  
16 allocated to the annexing or resulting districts shall be  
17 computed by the State Board of Education on the basis of  
18 pupil enrollment and other data which shall be certified to  
19 the State Board of Education, on forms which it shall provide  
20 for that purpose, by the regional superintendent of schools  
21 for each educational service region in which the annexing and  
22 annexed districts, or resulting and divided districts are  
23 located.

24 (3.5) Claims for financial assistance under this  
25 subsection (I) shall not be recomputed except as expressly  
26 provided under this Section.

27 (4) Any supplementary payment made under this subsection  
28 (I) shall be treated as separate from all other payments made  
29 pursuant to this Section.

30 (J) Supplementary Grants in Aid.

31 (1) Notwithstanding any other provisions of this  
32 Section, the amount of the aggregate general State aid in  
33 combination with supplemental general State aid under this  
34 Section for which each school district is eligible shall be

1 no less than the amount of the aggregate general State aid  
2 entitlement that was received by the district under Section  
3 18-8 (exclusive of amounts received under subsections 5(p)  
4 and 5(p-5) of that Section) for the 1997-98 school year,  
5 pursuant to the provisions of that Section as it was then in  
6 effect. If a school district qualifies to receive a  
7 supplementary payment made under this subsection (J), the  
8 amount of the aggregate general State aid in combination with  
9 supplemental general State aid under this Section which that  
10 district is eligible to receive for each school year shall be  
11 no less than the amount of the aggregate general State aid  
12 entitlement that was received by the district under Section  
13 18-8 (exclusive of amounts received under subsections 5(p)  
14 and 5(p-5) of that Section) for the 1997-1998 school year,  
15 pursuant to the provisions of that Section as it was then in  
16 effect.

17 (2) If, as provided in paragraph (1) of this subsection  
18 (J), a school district is to receive aggregate general State  
19 aid in combination with supplemental general State aid under  
20 this Section for the 1998-99 school year and any subsequent  
21 school year that in any such school year is less than the  
22 amount of the aggregate general State aid entitlement that  
23 the district received for the 1997-98 school year, the school  
24 district shall also receive, from a separate appropriation  
25 made for purposes of this subsection (J), a supplementary  
26 payment that is equal to the amount of the difference in the  
27 aggregate State aid figures as described in paragraph (1).

28 (3) (Blank).

29 (K) Grants to Laboratory and Alternative Schools.

30 In calculating the amount to be paid to the governing  
31 board of a public university that operates a laboratory  
32 school under this Section or to any alternative school that  
33 is operated by a regional superintendent of schools, the  
34 State Board of Education shall require by rule such reporting

1 requirements as it deems necessary.

2 As used in this Section, "laboratory school" means a  
3 public school which is created and operated by a public  
4 university and approved by the State Board of Education. The  
5 governing board of a public university which receives funds  
6 from the State Board under this subsection (K) may not  
7 increase the number of students enrolled in its laboratory  
8 school from a single district, if that district is already  
9 sending 50 or more students, except under a mutual agreement  
10 between the school board of a student's district of residence  
11 and the university which operates the laboratory school. A  
12 laboratory school may not have more than 1,000 students,  
13 excluding students with disabilities in a special education  
14 program.

15 As used in this Section, "alternative school" means a  
16 public school which is created and operated by a Regional  
17 Superintendent of Schools and approved by the State Board of  
18 Education. Such alternative schools may offer courses of  
19 instruction for which credit is given in regular school  
20 programs, courses to prepare students for the high school  
21 equivalency testing program or vocational and occupational  
22 training. A regional superintendent of schools may contract  
23 with a school district or a public community college district  
24 to operate an alternative school. An alternative school  
25 serving more than one educational service region may be  
26 established by the regional superintendents of schools of the  
27 affected educational service regions. An alternative school  
28 serving more than one educational service region may be  
29 operated under such terms as the regional superintendents of  
30 schools of those educational service regions may agree.

31 Each laboratory and alternative school shall file, on  
32 forms provided by the State Superintendent of Education, an  
33 annual State aid claim which states the Average Daily  
34 Attendance of the school's students by month. The best 3

1 months' Average Daily Attendance shall be computed for each  
2 school. The general State aid entitlement shall be computed  
3 by multiplying the applicable Average Daily Attendance by the  
4 Foundation Level as determined under this Section.

5 (L) Payments, Additional Grants in Aid and Other  
6 Requirements.

7 (1) For a school district operating under the financial  
8 supervision of an Authority created under Article 34A, the  
9 general State aid otherwise payable to that district under  
10 this Section, but not the supplemental general State aid,  
11 shall be reduced by an amount equal to the budget for the  
12 operations of the Authority as certified by the Authority to  
13 the State Board of Education, and an amount equal to such  
14 reduction shall be paid to the Authority created for such  
15 district for its operating expenses in the manner provided in  
16 Section 18-11. The remainder of general State school aid for  
17 any such district shall be paid in accordance with Article  
18 34A when that Article provides for a disposition other than  
19 that provided by this Article.

20 (2) (Blank).

21 (3) Summer school. Summer school payments shall be made  
22 as provided in Section 18-4.3.

23 (M) Education Funding Advisory Board.

24 The Education Funding Advisory Board, hereinafter in this  
25 subsection (M) referred to as the "Board", is hereby created.  
26 The Board shall consist of 5 members who are appointed by the  
27 Governor, by and with the advice and consent of the Senate.  
28 The members appointed shall include representatives of  
29 education, business, and the general public. One of the  
30 members so appointed shall be designated by the Governor at  
31 the time the appointment is made as the chairperson of the  
32 Board. The initial members of the Board may be appointed any  
33 time after the effective date of this amendatory Act of 1997.

1 The regular term of each member of the Board shall be for 4  
2 years from the third Monday of January of the year in which  
3 the term of the member's appointment is to commence, except  
4 that of the 5 initial members appointed to serve on the  
5 Board, the member who is appointed as the chairperson shall  
6 serve for a term that commences on the date of his or her  
7 appointment and expires on the third Monday of January, 2002,  
8 and the remaining 4 members, by lots drawn at the first  
9 meeting of the Board that is held after all 5 members are  
10 appointed, shall determine 2 of their number to serve for  
11 terms that commence on the date of their respective  
12 appointments and expire on the third Monday of January, 2001,  
13 and 2 of their number to serve for terms that commence on the  
14 date of their respective appointments and expire on the third  
15 Monday of January, 2000. All members appointed to serve on  
16 the Board shall serve until their respective successors are  
17 appointed and confirmed. Vacancies shall be filled in the  
18 same manner as original appointments. If a vacancy in  
19 membership occurs at a time when the Senate is not in  
20 session, the Governor shall make a temporary appointment  
21 until the next meeting of the Senate, when he or she shall  
22 appoint, by and with the advice and consent of the Senate, a  
23 person to fill that membership for the unexpired term. If  
24 the Senate is not in session when the initial appointments  
25 are made, those appointments shall be made as in the case of  
26 vacancies.

27 The Education Funding Advisory Board shall be deemed  
28 established, and the initial members appointed by the  
29 Governor to serve as members of the Board shall take office,  
30 on the date that the Governor makes his or her appointment of  
31 the fifth initial member of the Board, whether those initial  
32 members are then serving pursuant to appointment and  
33 confirmation or pursuant to temporary appointments that are  
34 made by the Governor as in the case of vacancies.

1           The State Board of Education shall provide such staff  
2 assistance to the Education Funding Advisory Board as is  
3 reasonably required for the proper performance by the Board  
4 of its responsibilities.

5           For school years after the 2000-2001 school year, the  
6 Education Funding Advisory Board, in consultation with the  
7 State Board of Education, shall make recommendations as  
8 provided in this subsection (M) to the General Assembly for  
9 the foundation level under subdivision (B)(3) of this Section  
10 and for the supplemental general State aid grant level under  
11 subsection (H) of this Section for districts with high  
12 concentrations of children from poverty. The recommended  
13 foundation level shall be determined based on a methodology  
14 which incorporates the basic education expenditures of  
15 low-spending schools exhibiting high academic performance.  
16 The Education Funding Advisory Board shall make such  
17 recommendations to the General Assembly on January 1 of odd  
18 numbered years, beginning January 1, 2001.

19       (N) (Blank).

20       (O) References.

21           (1) References in other laws to the various subdivisions  
22 of Section 18-8 as that Section existed before its repeal and  
23 replacement by this Section 18-8.05 shall be deemed to refer  
24 to the corresponding provisions of this Section 18-8.05, to  
25 the extent that those references remain applicable.

26           (2) References in other laws to State Chapter 1 funds  
27 shall be deemed to refer to the supplemental general State  
28 aid provided under subsection (H) of this Section.

29       (Source: P.A. 91-24, eff. 7-1-99; 91-93, eff. 7-9-99; 91-96,  
30 eff. 7-9-99; 91-111, eff. 7-14-99; 91-357, eff. 7-29-99;  
31 91-533, eff. 8-13-99; 92-7, eff. 6-29-01; 92-16, eff.  
32 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff.  
33 8-7-01; revised 8-7-01.)

1           Section 99.   Effective date.  This Act takes effect on  
2   July 1, 2002.